

# Notice of Allowability

Application No.

10/829,094

Examiner

Drew E. Becker

Applicant(s)

OWENS, SHAWN

Art Unit

1761

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/27/06.
2. ☒ The allowed claim(s) is/are 1-5,8-13,16,17 and 21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

**DETAILED ACTION**

***Allowable Subject Matter***

1. Claims 1-5, 8-13, 16-17, and 21 are allowed.
2. The following is an examiner's statement of reasons for allowance: the method of shredding a block of food material of independent claim 1 defines over the prior art of record because the prior art does not teach, suggest, nor render obvious forming the block of food material by stacking a plurality of ribbons of the food material, the block having narrow face and an elongated side; rotating a drum about an axis, the drum having a plurality of blades configured to cut the block of food material; and feeding the block of food material in a feed plane toward the drum in a feeding direction, the feeding direction being substantially perpendicular to the axis about which the drum rotates, cutting shreds of the food material from the narrow face of the block of food material with the plurality of blades;

the method of shredding a block of food material comprising cheese of independent claim 8 defines over the prior art of record because the prior art does not teach, suggest, nor render obvious forming the block of food material having a narrow face and an elongated side by stacking a plurality of ribbons of food material; providing a shredding unit having blades revolving about an axis; rotating the blades about the axis, wherein the blades define a cutting perimeter; moving the block of food material toward the cutting perimeter on a feed plane and in a feeding direction, the feeding direction being generally perpendicular to the axis about which the blades rotate; and cutting shreds of the food material from a the narrow front face thereof with the blades;

the method of forming shreds of cheese of independent claim 16 defines over the prior art of record because the prior art does not teach, suggest, nor render obvious forming a continuous sheet of cheese; cutting the sheet along a width of the continuous sheet of cheese to form a plurality of ribbons of cheese and stacking the ribbons to form a block having a narrow front face and an elongated side; moving at least one cutting blade about an axis; moving the block of cheese in a feed direction toward the at least one cutting blade, the feed direction being generally perpendicular to the axis about which the at least one cutting blade rotates; and cutting shreds of cheese from a the narrow front face of the block of cheese.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Loiseau [Pat. No. 4,307,843], Alexander [Pat. No. 2,710,635], Griffith III [Pat. No. 4,967,969], and Pinegar et al [Pat. No. 4,625,606] teach methods of shredding.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Drew E. Becker whose telephone number is 571-272-1396. The examiner can normally be reached on Mon.-Fri. 8am to 4:30pm.

Art Unit: 1761

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Milton Cano can be reached on 571-272-1398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
DREW BECKER  
PRIMARY EXAMINER  
9-15-06